

**Notice of Allowability**

Application No.

09/656,963

Applicant(s)

TAHARA ET AL.

Examiner

Art Unit

Michael N. Opsasnick

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to response received on 11/22/04.
2. ☒ The allowed claim(s) is/are 1-14.15 Mo
3. ☒ The drawings filed on 2/24/2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Vijay Chawan* 4/16/05  
**VIJAY CHAWAN**  
**PRIMARY EXAMINER**

## DETAILED ACTION

### *Allowable Subject Matter*

1. Claims 1-1<sup>5</sup> are allowable over the prior art of record.
2. The following is a statement of reasons for the indication of allowable subject matter:

As per independent claims 1,6,11, the recited claim limitations are taught piecemeal by the prior art of record, however, the pieces of prior art derive from different processes in the speech recognition art area, and each reference lacks adequate reasoning for combining the three references. The first reference, Hutchins (5208897) teaches obtaining a spelling of a sentence group from a speech recognition dictionary storage with baseforms (fig. 4a, col. 11 line 45 – col. 12 line 40); or alternatively, Hutchins is directed towards speech recognition. The second reference, Contolini (6233553), teaches recognition of spoken sounds (col. 2 lines 55-59), transcribed (col. 2 lines 60-67), and stored into memory via a trained sound dictionary (col. 2 lines 48-50), building the dictionary (col. 2 lines 51-55)), including spelling of the word (col. 2 lines 55-56); or alternatively, Contolini (6233553) is directed toward phonetic transcriptions of spelled words in building speech models for eventual use in real-time speech recognition applications. The third piece of prior art, IBM TDB, is directed toward building word models using sounds-like spellings for eventual use in real time speech recognition applications. There is not adequate reasons given in any of the prior art of record to combine the three references.

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Since Hutchins does not mention word registration, it is not clear as to why there would any motivation to combine Hutchins with Contolini or IBM TDB. Furthermore, there is no reasonable expectation of success with the combination of Hutchins in view of Contolini in further view of IBM TDB.

As per claims 2-5,7-10, and 12-15, the recited claim limitations pertaining to a speech recognition system utilizing a sounds like spelling scores in conjunction with a two layer voice recognition process is not explicitly taught by the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

**3. Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 872 9314,

(for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick, telephone number (703)305-4089, who is available Tuesday-Thursday, 9am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Doris To, can be reached at (703)305-4827. The facsimile phone number for this group is (703)872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2600 receptionist whose telephone number is (703) 305-4750, the 2600 Customer Service telephone number is (703) 306-0377.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mno

4/14/05

*Vijay Chawan* 4/16/05  
VIJAY CHAWAN  
PRIMARY EXAMINER